

Message Text

LIMITED OFFICIAL USE

PAGE 01 BONN 06569 081405 Z

51

ACTION EUR-25

INFO OCT-01 ADP-00 SAJ-01 MBFR-03 GAC-01 ACDA-19 NIC-01

CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10

PA-03 RSC-01 PRS-01 SS-15 USIA-12 RSR-01 /118 W

----- 004562

R 081359 Z MAY 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 4895

INFO AMEMBASSY MOSCOW

LIMITED OFFICIAL USE BONN 06569

E. O. 11652: N/ A

TAGS: PINT, GW

SUBJECT: DEMANDS TO BAN KPD GROW

1. THE HIGHLY VISIBLE PRESENCE OF MEMBERS OF THE MAOIST KPD IN SEVERAL RECENT STREET CLASHES WITH POLICE HAS LED TO SEVERAL DEMANDS THAT THE ORGANIZATION BE DECLARED ILLEGAL. JUSTICE MINISTER GENSCHER (FDP) IS CLEARLY PREPARED TO DO SO, BUT THERE ARE AT LEAST TWO CONSIDERATIONS THAT WILL DELAY ANY SUCH ACTION.

2. FIRSTLY, IF THE KPD DOES NOT QUALIFY AS THE LEGITIMATE POLITICAL PARTY IT CLAIMS TO BE, THEN GENSCHER CAN ON HIS OWN AUTHORITY BAN IT. IF IT IS DEEMED TO BE A POLITICAL PARTY, THEN IT CAN BE ORDERED TO DISSOLVE ONLY AFTER A NEGATIVE FINDING REGARDING ITS CONSTITUTIONALITY BY THE FEDERAL CONSTITUTIONAL COURT. THE KPD SOUGHT TO REGISTER AS A CONTENDING PARTY IN LAST FALL'S ELECTION BUT WAS DENIED PERMISSION TO DO SO BY THE HEAD OF THE FEDERAL ELECTION OFFICE. HOWEVER THAT DECISION IS UNDER APPEAL AND IS THUS NOT YET DEFINITIVE.

3. SECONDLY, THERE IS THE CLEAR DISINCLINATION OF THE LIMITED OFFICIAL USE

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PAGE 02 BONN 06569 081405 Z

CHANCELLOR TO APPROVE THE BAN. BRANDT'S RELUCTANCE IS
IN KEEPING WITH HIS GENERAL DESIRE FOR CONSENSUS AND
THE AVOIDANCE OF CONFRONTATION AND IS UNAFFECTED BY THE
IMMINENT VISIT OF BREZHNEV. THE KPD INCLUDES "SOVIET
SOCIALIST IMPERIALISM" IN ITS LONG LIST OF CRIMES. THE
MOSCOW-ORIENTED DKP HAS NOT BEEN INVOLVED IN ANY PUBLIC
UNPLEASANTNESS, AND ITS CONSTITUTIONAL LEGITIMACY HAS
NOT YET BEEN FORMALLY CONTESTED.
HILLENBRAND

LIMITED OFFICIAL USE
NMAFVVZCZ

*** Current Handling Restrictions *** n/a
*** Current Classification *** LIMITED OFFICIAL USE
@@@OASYS@@@<CONCATENATED>

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GW
Control Number: n/a
Copy: <CONCATENATED>
Draft Date: 08 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BONN06569
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730537/aaaaidye.tel
Line Count: 145
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 08 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08-Aug-2001 by shawdg>; APPROVED <10-Sep-2001 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> mcm 971219
Subject: DEMANDS TO BAN KPD GROW
TAGS: PINT, PINT
To: EUR
MOSCOW
SECSTATE WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005